In the High Court of Punjab and Haryana, Chandigarh

C.W.P. No. 17088 of 2006

Date of Decision: 30.10.2006

Birma

…Petitioner

Versus

State of Haryana and others

…Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR

HON'BLE MR. JUSTICE M.M.S. BEDI

PRESENT: Mr. Tara Chand Dhanwal, Advocate,
for the petitioner.

JUDGMENT

M.M. KUMAR, J. (Oral)

This petition filed under Article 226 of the Constitution prays for issuance of a writ in the nature of mandamus directing the respondents to release the pensionary benefits viz. gratuity, pension, leave encashment and G.P.F. etc. alongwith interest @ 18% as the petitioner retired on 30.6.2005 on attaining the age of superannuation and the dues have not been paid even after expiry of more than 1 year and 2 months.

For the relief claimed in the instant petition, the petitioner has already sent a legal notice dated 31.7.2006 (P-2) to the respondents.

Without going into merits of the case, we deem it just and appropriate to direct the respondents to take cognizance of the legal notice sent by the petitioner and decide the same expeditiously preferably within a period of four months from the date a certified copy of this order is presented to them. If the claim of the petitioner is found to be meritorious and decided in his favour then the benefit accruing to him shall be disbursed within a further period of three months thereafter. It shall be appreciated if a speaking order is passed.

Petition stands disposed of in the above terms.

(M.M. KUMAR)
JUDGE

(M.M.S. BEDI)
JUDGE

October 30, 2006
Pkapoor